

23 September 1999

Mr. Lester Snow, Executive Director
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

**Re: AG/URBAN CAUCUS COMMENTS ON JUNE 1999 DRAFT
PROGRAMMATIC EIS/EIR FOR THE CALFED BAY-DELTA
PROGRAM**

Dear Mr. Snow:

This letter and its attachments constitute comments from the Ag/Urban Caucus on the subject PEIS/EIR. The Ag/Urban Caucus includes thirty-six individual agricultural and urban water agencies, including the membership of CUWA, ACWA, SWC and CVPWA. We remain a supporter of the CALFED Bay-Delta Program and are committed to working with you to address the many unresolved issues prior to finalization of the PEIS/EIR and a Record of Decision.

OVERALL COMMENTS

The success of the CALFED program depends on all the stakeholders having a very specific understanding of the benefits they can reasonably expect to receive from implementing the solutions package. While the program outlined in the PEIS/EIR has made progress in some key areas (such as water use efficiency, long-term water quality improvement targets, continued planning for surface storage and development of additional groundwater storage), overall the program lacks a real commitment to meet California's needs for an increased and more reliable water supply of good quality. Those deficiencies must be corrected before the program can successfully move forward.

Water Supply/Reliability

Delta-dependent water users have experienced the loss of more than one million acre-feet of water during the 1990s. As California's population continues to increase – by as many as 15 million more people by the year 2020 – it is critical that we begin to recover those supplies and provide more. However, the CALFED program provides no targets for an increased water supply. Our analysis of the CALFED proposal shows that the program at best might provide less than 200,000 acre-feet of new water, and at worst could actually reduce supplies by another 700,000 acre-feet.

CALFED must set water supply goals of at least a net increase of 200,000 to 400,000 acre-feet per year during the first seven years of this program and aggressively pursue their realization.

The ability to generate additional water supplies is directly dependent on having the necessary facilities in place. California's water infrastructure investments over the past two decades have been woefully inadequate to meet the state's water supply needs.

CALFED must expedite the planning and implementation of the South Delta Improvements, which hold the greatest potential for increasing water supplies during the first stage of the program. Water supply benefits from this program must be equitably balanced among urban, agricultural and environmental uses. CALFED must at the same time ensure that there is no resulting degradation of Delta water quality from

these South Delta improvements and indeed must ensure that there is a net water quality improvement.

A fundamental problem with California's water system over the past decade has been the increasing unpredictability of water supplies due to regulatory actions. The recent Delta smelt crisis demonstrates that water users are not immune to regulatory impacts even in wet years, and must be presumed to be at even greater risk of water shortages in dry and normal years. To ensure orderly planning by local agencies dependent on the Delta, the program must provide a high degree of operational and regulatory assurances that the program will generate promised benefits.

CALFED must develop regulatory and operational guarantees of actual benefits to water users in order to maintain their commitment to the program.

Water Quality

Ever-tougher drinking water quality standards require that Delta water quality be substantially improved. CALFED has established long-term water quality targets for bromide and total organic carbon, both constituents of concern to water quality professionals, but has not set intermediate targets to provide the assurance that water quality is continuously improving.

CALFED must develop a comprehensive timetable for meeting required improvements in drinking water quality, and set intermediate benchmarks to provide a method of gauging success of the program.

CALFED began with the notion that no option would be preferred or prohibited, that the process would objectively assess all potential solutions. While earlier technical analyses demonstrated that an isolated conveyance facility had the greatest potential to improve water quality and provide fishery benefits, most of the preliminary studies necessary to proceed with such a project have been deleted from the documents. Failure to meet water quality goals was one criterion for triggering development of options for an isolated facility, but they have not been specified in the program's water quality goals.

CALFED must clearly set out the conditions that will trigger a full assessment of an isolated conveyance facility, the timeline for such an assessment, and a clear process for making the decision on whether to proceed with such a facility.

Financing

CALFED proposes spending \$4.4 billion over the next seven years, much of it apparently raised from water user fees and charges. However, the PEIS/EIR provides no specificity as to the guaranteed water supply or water quality benefits to be derived from the program.

Without clearly defined and quantifiable benefits, the CALFED program will be unable to impose appropriate water user fees to implement the program. CALFED should not consider applying water user fees unless there are clearly defined and quantified benefits from the program, consistent with the "beneficiary pays" principle.

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SPECIFIC COMMENTS

Our specific comments are organized in four attachments to this letter:

- Attachment 1** is a Summary of Key Concerns with the PEIS/EIR.
- Attachment 2** is a Comparison of Ag/Urban Requirements with the content of the PEIS/EIR. We have spent a considerable amount of time and effort articulating our position, have searched the PEIS/EIR to determine if the item has been adequately addressed, and have indicated our finding with page references. We request that CALFED provide a point-by-point response to our findings.
- Attachment 3** is a Summary of Approach and Other Elements of the PEIS/EIR that are unacceptable to Ag/Urban.
- Attachment 4** includes brief summaries of select individual Ag/Urban member agencies. These agencies are submitting separate agency letters in order to address their concerns more specifically. Comments in this Ag/Urban letter do not supercede or negate comments that may be made by individual member agencies.

We ask that you seriously consider these comments, and request a written response to each comment in this letter and in its attachments.

We remain encouraged by the recent meetings and guidance from Governor Davis and Interior Secretary Babbitt regarding the CALFED program, specifically the progress being asked for on both the Environmental Water Account (EWA) and the Integrated Storage Investigation (ISI). We believe it is imperative that the Governor and the Secretary remain engaged and begin to make the tough decisions that will provide a balanced solution and benefits to all parties.

The Ag/Urban Caucus appreciates the opportunity to provide input on the PEIS/EIR and we look forward to positive progress in completing the PEIS/EIR, preparing the Record of Decision, and moving into the first stage of implementation.

Sincerely,



Allen Short
Chair of the Ag/Urban Caucus

MEMBERS OF THE AG/URBAN CAUCUS

Association of California Water Agencies
California Urban Water Agencies
Central Valley Project Water Association
City of San Francisco
Contra Costa Water District
Corning Water District
East Bay Municipal Utilities District
El Dorado County Water Agency
Friant Water Users Authority
Glenn- Colusa Irrigation District
Imperial Irrigation District
Kern County Water Agency
Metropolitan Water District of Southern California
Modesto Irrigation District
Mountain Counties Water Resources Association
Municipal Water District of Orange County
North Delta Water Agency
North of the River Irrigation District
Northern California Water Association
Regional Council of Rural Counties
San Diego County Water Authority
San Francisco Public Utilities Commission
San Joaquin River Exchange Contractors Water Authority
San Joaquin River Group Authority
San Luis and Delta- Mendota Water Authority
San Luis Canal Company
Santa Clara Valley Water District
South Delta Water Agency
State Water Contractors
Stockton East Water District
Tehama Colusa Canal Authority
Tulare Lake Basin Water Storage District
Westside Water District
Westlands Water District
Wheeler Ridge- Maricopa Water Storage District
Yuba County Water Agency